

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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WILLIE WASHINGTON WALKER,)
Plaintiff,)
vs.)
UNITED STATES ATTORNEY)
GENERAL, et al.,)
Defendants.)
)
2:11-CV-01640-PMP-GWF
ORDER

On January 27, 2012, the Court entered an Order and Judgment (Docs. #12 & #13) granting Defendants' Motion to Dismiss (Doc. #6) as a result of Plaintiff's failure to file a timely response.

On February 6, 2012, Plaintiff Walker filed a Motion to Vacate the Court's Order of Dismissal (Doc. #14). That motion is now fully briefed.

Initially, the Court finds that Plaintiff has not established a basis under Rule 59(e) of the Federal Rules of Civil Procedure to warrant amendment or reconsideration of this Court's prior Order of Dismissal (Doc. #12). Nevertheless, the Court has now reviewed Defendants' original Motion to Dismiss (Doc. #6) in light of Plaintiff's Response and Objection (Doc. #15) filed February 6, 2012, and Defendants' Response (Docs. #17 & #18) filed March 12, 2012. Having done so, the Court finds that Defendants are entitled to the relief requested in their Motion to Dismiss (Doc. #6).

Specifically, Plaintiff's Complaint (Doc. #1) fails to plead enough facts to state a claim for relief that is plausible on its face. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 547 (2007). As a result, Plaintiff's Complaint must be dismissed in accord with the provisions of Rule 12(b)(6) of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Vacate (Doc. #14) is **DENIED**.

DATED: March 26, 2012.

Philip M. Orr

PHILIP M. PRO
United States District Judge